

Remarks

Claims 1-65 are pending in the application, of which claims 37-39 and 46-62 are withdrawn from consideration; claims 1-7, 9-11, 15, 18-28, 31, 33, 34, 36, 40, 43-45 and 63-65 are rejected; and claims 8, 13, 14, 17, 29, 30, 32, 35, 41 and 42 are objected to by the Examiner. Applicant respectfully traverses the rejections of claims, however, Applicant hereby amends and cancels claims in order to facilitate allowance of the present application. By this paper, Applicant amends claims 1, 4-6, 8, 11, 15, 16, 19-24, 27, 30, 31, 33, 34, 40, 41, 43, 44 and 63, and cancels claims 2, 29, 35 and 46-62.

Claim Rejections - 35 U.S.C. § 112

The Examiner has rejected claims 3-6, 11, 15, 16, 19-23, 27, 31, 34, 40, 43-45, and 63-65 under 35 U.S.C. § 112, second paragraph as being indefinite.

In claim 3, the Examiner indicates that "said lap and shoulder restraint system" lacks proper antecedent basis. Claim 3 depends from claim 1. By this paper, claim 1 has been amended to include "a lap and shoulder restraint system" thereby correcting the antecedent basis in dependent claim 3.

Regarding claims 4 and 5, the Examiner states that "said lap and shoulder restraint systems" lack proper antecedent basis. Claims 4 and 5 depend from claim 1, which has been amended to include "a lap and shoulder restraint system." Claims 4 and 5 have also been amended to refer to "said lap and shoulder restraint system", thereby correcting the antecedent basis.

Regarding claim 6, the Examiner indicates that the phrase "may be" renders the claim indefinite. Accordingly, this phrase has been removed from claim 6.

Regarding claim 11, the Examiner has indicated that “said seat cushion includes a front portion and a rear portion” is unclear because of the previously set forth “front seating portion” and “rear seating portion”. Accordingly, the limitation “said seat cushion includes a front portion and a rear portion” has been removed from claim 11.

The Examiner indicates that it is unclear in claim 15 if “a plurality of bladders” is intended to be the same feature as the previously set forth “bladder system”. Accordingly, claim 15 has been amended such that “said bladder system is comprised of a plurality of bladders” thereby overcoming the unclarity.

In claim 16, the word “the” before “movement” has been removed to correct antecedent basis. Additionally, claim 16 has been amended to depend from claim 14 to correct antecedent basis regarding “said armrest.”

The Examiner indicated that claim 19 lacks proper antecedent basis regarding “said pocket”. Claim 19 originally depended from claim 14. By this amendment, claim 19 has been amended to include all of the limitations of independent claim 1, intermediate claim 18 and original claim 19. By incorporating intermediate claim 18, “said pocket” has proper antecedent basis.

Likewise, claim 20 has been amended to include all of the limitations of base claim 1 and intermediate claim 18 so that claim 20 has proper antecedent basis for “said pocket.”

Claim 21 has been amended to refer to “an airbag” rather than “the airbag”, thereby correcting antecedent basis.

Claim 22 has been amended to depend from claim 21 and to refer to “the airbag deactivation device”, thereby correcting antecedent basis.

Claim 27 has been amended to refer to "movement" rather than "the movement", thereby correcting antecedent basis. Additionally, claim 27 has been amended to depend from claim 26 thereby correcting antecedent basis regarding "said armrest."

Claim 31 has been amended to refer to "the airbag deactivation device" for proper antecedent basis relative to base claim 30.

Claim 34 has been amended to refer to "a front face" and "a back face" thereby correcting antecedent basis.

Claim 40 has been amended to include "said guide member" thereby correcting antecedent basis.

Claim 43 has been amended to refer to "the guide member" thereby correcting antecedent basis.

Claim 44 has been amended to refer to "said seat bracket" rather than "said connecting member" thereby correcting antecedent basis.

Claim 63 has been amended to refer to "a vehicle floor" thereby correcting antecedent basis.

Claim Rejections - 35 U.S.C. § 102

**Rejection of Claims 1, 3, 5, 11
and 12 As Being Anticipated By Harrison et al.**

The Examiner has rejected claims 1, 3, 5, 11 and 12 under 35 U.S.C. § 102(b) as being anticipated by Harrison et al. (5322341). Claim 1 has been amended to include the limitations of claim 2. Therefore, claim 1 overcomes the anticipation rejection over Harrison et al.

Claims 3, 5, 11 and 12 depend from claim 1 and therefore are not anticipated by Harrison et al.

**Rejection of Claims 33 and
36 As Being Anticipated By Hale**

The Examiner has indicated that claims 33 and 36 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hale. The Examiner cites Hale by Patent No. 1644528, however, the cited Hale reference is Patent No. 505,246. Claim 33 has been amended to include the limitations of claim 35 and therefore claim 33 is not anticipated by Hale.

Claim 36 depends from claim 33 and therefore is not anticipated by Hale for the reasons set forth above.

**Rejection of Claims 63-65
As Being Anticipated By Huff**

The Examiner has rejected claims 63-65 under 35 U.S.C. § 102(b) as being anticipated by Huff (1644528). Claim 63 has been amended to include “a backrest” with first and second positions for providing a seating surface. These limitations are not disclosed by Huff and therefore claim 63 is not anticipated by Huff.

Claims 64 and 65 depend from claim 63 and therefore overcome the anticipation rejection over Huff.

Claim Rejections - 35 U.S.C. § 103**Rejection of Claims 2 and 4 As Being Unpatentable Over Harrison et al. In View of Higgs et al.**

The Examiner has rejected claims 2 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Harrison et al. (5322341) in view of Higgs et al. (4585273). Claim 2 has been canceled by this paper, however, the limitations of claim 2 have been incorporated into independent claim 1. Higgs et al. fails to teach or disclose “a lap and shoulder restraint system integrated with the backrest *for use in connection with either of said front or back surfaces of said backrest.*” The restraint system of Higgs et al. is limited to only one seating direction. Harrison et al. does not teach or suggest modifying the lap and shoulder restraint of Higgs et al. “*for use in connection with either of said front and back surfaces of said backrest.*” Therefore, the combination of Harrison et al. and Higgs et al. fails to teach or disclose all of the limitations of claim 1; and claim 1 is nonobvious over Harrison et al. in view of Higgs et al.

Claim 4 depends from claim 1 and therefore claim 4 is nonobvious for at least the reasons stated above with reference to claim 1.

Rejection of Claims 6, 7 and 10 Over Harrison et al. In View of Isono et al.

The Examiner has rejected claims 6, 7 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Harrison et al. (5322341) in view of Isono et al. (4592488). Claims 6, 7 and 10 depend from claim 1 and therefore are nonobvious over Harrison et al. in view of Isono et al. because this combination of references fails to teach or suggest “a lap and shoulder restraint system integrated with the backrest for use in connection with either of said front or back faces of said backrest” as required by amended claim 1.

**Rejection of Claim 9 as Being
Unpatentable Over Harrison et al. In View of Kim**

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Harrison et al. (5322341) in view of Kim (6488333). Claim 9 depends from claim 1, which requires “a lap and shoulder restraint system integrated with the backrest for use in connection with either of said front or back faces of said backrest.” Harrison et al. and Kim alone and in combination fail to teach or suggest this limitation and therefore claim 9 is nonobvious over the combination of references.

**Rejection of Claim 18 as Being
Unpatentable Over Harrison et al. In View of Greaves**

The Examiner has rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Harrison et al. (5322341) in view of Greaves (2979098). Claim 18 depends from claim 1, which requires “a lap and shoulder restraint system integrated with the backrest for use in connection with either of said front or back faces of said backrest.” Harrison et al. and Greaves alone and in combination fail to teach or suggest this limitation and therefore claim 18 is nonobvious over this combination of references.

**Rejection of Claims 24 and 25 as Being
Unpatentable Over Harrison et al. In View of Kim**

The Examiner has rejected claims 24 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Harrison et al. (5322341) in view of Kim (6488333). Claim 24 has been amended to include the limitations of claim 29, which the Examiner indicated would be allowable if rewritten in independent form. Accordingly, claim 24 is allowable as suggested by the Examiner with reference to claim 29 and therefore claim 24 overcomes the rejection over Harrison et al. in view of Kim. Claim 25 depends from claim 24 and therefore is nonobvious for depending from an allowable claim.

**Rejection of Claims 26 and 27 as Being Unpatentable
Over Harrison et al. In View of Kim and Further In View of Fujiwara**

The Examiner has rejected claims 26 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Harrison et al. (5322341) in view of Kim (6488333), and further in view of Fujiwara (4668010). Claims 26 and 27 depend from claim 24, which has been amended into allowable form as suggested by the Examiner. Therefore, claims 26 and 27 are nonobvious for depending from an allowable claim.

**Rejection of Claim 28 as Being Unpatentable Over
Harrison et al. In View of Kim and Further In View of Greaves**

The Examiner has rejected claim 28 under 35 U.S.C. § 103(a) as being unpatentable over Harrison et al. (5322341) in view of Kim (6488333) and further in view of Greaves (2979098). Claim 28 depends from claim 24, which has been amended into allowable form as suggested by the Examiner. Since claim 28 depends from an allowable claim, claim 28 is nonobvious over the combination of references.

Allowable Subject Matter

Applicant appreciates the Examiner's indication that claims 8, 13, 14, 17, 29, 30, 32, 35, 41 and 42 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, claim 8 has been rewritten in independent form as suggested by the Examiner and therefore claim 8 is allowable. Claims 13, 14 and 17 depend from allowable claim 8 and therefore are in allowable form. Claim 29 has been canceled and incorporated into claim 24 and therefore claim 24 is allowable. Claim 30 has been rewritten in independent form and therefore claim 30 is allowable as suggested by the Examiner. Claim 32 depends from allowable claim 30 and therefore claim 32 is allowable. Claim 35 has been canceled and incorporated into independent claim 33 and therefore claim 33 is allowable as indicated by the Examiner with reference to claim 35. Claim 41 has been amended to depend from claim 33 and therefore is allowable for depending from

an allowable claim. Claim 42 depends from claim 41 and therefore is allowable for depending from an allowable claim.

Applicant appreciates the Examiner's indication that claims 15, 16, 19-23, 31, 40, and 43-45 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph and to include all of the limitations of the base claim and any intervening claims. Claims 15 and 16 have been amended to overcome the rejections and therefore are allowable as suggested by the Examiner. Claims 19-21 have been amended to overcome the rejections and are rewritten in independent form including all of the limitations of the base claim and any intervening claims and therefore these claims are allowable. Claims 22 and 23 have been amended to overcome the rejections and to depend from claim 21, which is an allowable claim and therefore are allowable as well. Claim 31 has been amended to overcome the rejection and therefore claim 31 is allowable as suggested by the Examiner. Claim 40 as been amended to overcome the rejection and to include all of the limitations of the base claim and any intervening claims. Therefore, claim 40 is in allowable form as suggested by the Examiner. Claims 43 and 44 have been amended to overcome the rejections and therefore claims 43-45 are in allowable form as suggested by the Examiner.

Conclusion

In view of the foregoing, Applicant respectfully asserts that the application is in condition for allowance, which allowance is hereby respectfully requested.

Respectfully submitted,

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